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OCT 23 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HOLLIER et al

Atty. Ref.: 36-1459

Serial No. 09/889,041

TC/A.U.: 2625

Filed: July 11, 2001

Examiner: S. Perungavoor

For: ANALYSIS OF VIDEO SIGNAL QUALITY

\* \* \* \* \*

October 23, 2006

VIA FACSIMILE - 571-273-8300

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RE-SUBMISSION OF RULE 132 DECLARATION

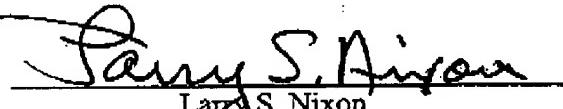
On October 20, 2006 Examiner Perungavoor telephoned to say that the copy of the Rule 132 Declaration submitted October 12, 2006 then accessible to him did not include the two enclosures referenced therein.

Accordingly, in accordance with the Examiner's request, I am now faxing another copy of the Rule 132 Declaration and its two therein referenced enclosures.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

  
Larry S. Nixon  
Reg. No. 25,640

LSN:vc

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HOLLIER et al Atty. Ref.: 36-1459; Confirmation No. 6105

Appl. No. 09/889,041 TC/A.U. 2625

Filed: July 11, 2001 Examiner: S. Perungavoor

For: ANALYSIS OF VIDEO SIGNAL QUALITY

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RULE 132 DECLARATION OF ANDREW MALCOM JELL

I, Andrew Malcolm Jell, hereby declare and say of my own personal knowledge and belief:

1. THAT during 2000 and since 1986, I was employed by Lemmout & Hauspie Ltd., (31, Adastral Park Martlesham Heath, Ipswich, Suffolk, IP5 3RE, England) as the Editor of the BT Technology Journal (BTTJ) which is published by Lemmout & Hauspie.

2. THAT I received the paper "Models of Human Perception" by Anthony Rix on 9 December 1998 on a floppy disk given to me by John Seton who was coordinating all the papers for Vol. 17, No. 1 of the BTTJ. The paper was then edited and formatted to the Journal house style.

3. THAT I forwarded the paper in electronic format (file name 'Moh.zip') to our in-house printers on 13 February 1999, as shown in the covering e-mail, a printout of which is attached hereto as Enclosure 1. The reason for the delay between the receipt of Anthony Rix's

HOLLIER et al.  
Appl. No. 09/889,041  
Rule 132 Declaration of Andrew M. Jell

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paper and sending the formatted version to the printers was because many of the other papers were received late (the last paper not being received until 25 January 1999); all papers were then paginated and sent to the printers at the same time.

4. THAT distribution of the printed periodical are controlled by myself. Volume 17, No. 1, which has the cover date of January 1999, in which the paper by Mr. Rix appears, was in fact first distributed on 19 March 1999. No copies of Anthony Rix's paper were released by me to anyone else prior to 19 March 1999.

5. THAT attached as Enclosure 2 is a printout of an e-mail I sent to our in-house printers on 23 March 1999, confirming receipt of the copies of the printed Volume 17, No. 1 of the BTTJ on Friday, 19 March 1999.

6. THAT the attached printouts at enclosures 1 and 2 are copies of the electronic mail cover sheet transmitting Mr. Rix's paper from myself to the printers and the electronic mail sent by myself to the printers confirming receipt of the printed volume on 19 March 1999.

7. THAT I declare further that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

3 August 2006



Andrew M. Jell

'maria.kucharz@heit, 12:21 13-2-99 +00, BTIJ File MOH

To: "maria.kucharz@heitmann.de" <maria.kucharz@heitmann.de>  
From: Andrew Jell <andrew.jell@ipswich.sac.co.uk>

Subject: BTIJ File MOH

Cc:

Bcc:

Maria

Please find attached MOH file in ZIP format

Andrew

This is enclosure 1  
referred to in the  
affidavit of Andrew  
Malcolm Jell sworn  
before me this 29<sup>th</sup>  
November 2008



Best Available Copy

christoph.schwenke@, 13:50 23-3-99 +00, BTI;

To: <christoph.schwenke@heitmann.de>  
From: Andrew Jell <andrewj@ipswich.sac.co.uk>  
Subject: BTI  
Cc:  
Bcc:

Chris

Thanks for the copies which arrived on Friday. They look good.

If you no longer require the FrameMaker program disks I sent you, could you package them up and send them back in the near future. Thanks.

Andrew

This is enclosure 2  
referred to in the  
affidavit of Andrew  
Malcolm Jell sworn  
before me this 2<sup>nd</sup> day  
November 2 2006



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Printed for Andrew Jell <andrew.jell@lhsi.co.uk>

PAGE 5/5 \* RCVD AT 10/23/2006 2:24:52 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/15 \* DNI:2738300 \* CSID:703 816 4100 \* DURATION (mm:ss):01:22